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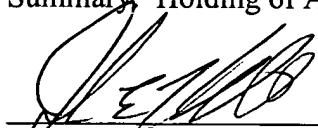
In re Application of	:	DECISION ON PETITION
Dean Scribner	:	TO WITHDRAW
Serial No. : 10/061,413	:	HOLDING OF
Filed : February 4, 2002	:	ABANDONMENT
For : Microelectronic Stimulator Array for Stimulating	:	
Nerve Tissue	:	

This is a decision on petitioner's request filed November 23, 2004, and supplemented December 18, 2004, to review the holding of abandonment mailed October 4, 2004, for failure to respond to the Office action mailed May 14, 2003. As this petition was filed pursuant to 37 CFR 1.181, no petition fee is required.

In support of the request, petitioner has submitted a copy of a response that includes a Terminal Disclaimer and a copy of a PTO stamped receipt dated August 29, 2003 as evidence of the filing of a response. As the three-month period for response expired August 14, 2003, a one-month extension of time was required to make the response timely. In view of the general authorization given on page two of the response, last paragraph, a one-month extension of time fee of \$110.00 has been charged to Deposit Account No. 50-0281.

In view of the above, the Notice of Abandonment mailed October 4, 2004 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed August 29, 2003 as well as having the extension of time fee charged.

Summary: Holding of Abandonment Withdrawn.



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